

REMARKS

This is a full and timely response to the non-final Official Action mailed September 14, 2009 (the “Office Action” or “Action”). Reconsideration of the application in light of the following remarks is respectfully requested.

Claim Status:

The present paper proposes no changes to the existing claims. Thus, claims 1-31 are pending for further action.

Prior Art:

1. Claims 1-31 were rejected under 35 U.S.C. § 103(a) as being obvious over U.S. Patent No. 5,428,741 to Ho et al. (“Ho”). For at least the following reasons, this rejection is respectfully traversed.

Claim 1:

Claim 1 recites:

A method for fitting a frame of a video feed to a display device, the method comprising:

ascertaining at least one marker defining a region of the frame, the region having a horizontal to vertical ratio matching a horizontal resolution to vertical resolution ratio of the display device;

buffering at least one row of the region defined by the at least one marker and excluding rows outside the region defined by the at least one marker such that the rows outside the region defined by the at least one marker are simultaneously cropped from the video feed; and

displaying, on the display device, the region of the frame defined by the at least one marker.

(Emphasis added).

As demonstrated above, claim 1 is directed to automatically fitting a frame of video feed to a display device based on a marker corresponding to the video feed that defines a region of the frame matching the aspect ratio of the display device. (Claim 1; *see also* Applicant's Specification, Figs. 2-4 and ¶¶ 0011-20, 0022-23, 0027, 0031-38).

In contrast, Ho does not render obvious the method of claim 1 because it does not teach or suggest all of the subject matter recited in claim 1, thereby failing to establish that the claimed invention as a whole would be obvious to one having ordinary skill in the art in light of the teachings of Ho. *See* M.P.E.P. § 2142.

Ho is directed to a "high speed digital image preprocessing system connected between a data link and a host computer interface bus" that includes "a data cropping controller connected to receive a plurality of preprogrammed window coordinates such that the digital image data processed by the video processor which matches the preprogrammed window coordinates is identified." (Ho, col. 2 lines 11-13 and 23-27). Nevertheless, Ho fails to teach or suggest "ascertaining at least one marker defining a region of the frame, the region having a horizontal to vertical ratio matching a horizontal resolution to vertical resolution ratio of the display device;" "buffering at least one row *of the region defined by the at least one marker* and excluding rows outside *the region defined by the at least one marker* such that the rows outside the region *defined by the at least one marker* are simultaneously cropped from the video feed;" and "displaying, on the display device, *the region of the frame defined by the at least one marker.*" (Claim 1) (emphasis added).

The Action cites to Ho's teaching of "a cropper controller 500 for generating windows based on the programmed window coordinates" as evidence that Ho teaches "the ascertaining step as claimed." (Action, p. 2) (citing to Ho, col. 12 line 64 to col. 13 line 3, col. 3 lines 49-62). Applicant respectfully disagrees. Ho teaches in these portions that an image

preprocessing system “can crop multiple windows of data bounded by given sets of coordinates and is able to send these subsets of data to the host computer for further image processing.” (Ho, col. 3 lines 49-62). Applicant notes that Ho only teaches the automatic cropping of a video signal based on predefined windows of data. (*Id.*). These predefined windows are used to enable a host processor to perform image recognition on a reduced amount of image data such that “[i]nstead of transferring the entire data image to the Host Computer, as done in prior art recognition systems, only the required section of the data is passed, thus, reducing the work load of the Host Computer 18.” (*Id.* at col. 12 lines 33-39). Ho does not teach or suggest here or anywhere else that the windows define a region matching the horizontal resolution to vertical resolution ratio of a display device. (Claim 1). As such, Ho fails to teach or suggest “ascertaining at least one marker defining a region of the frame, the region having a horizontal to vertical ratio matching a horizontal resolution to vertical resolution ratio of the display device.” (*Id.*).

The Action concedes that “Ho does not disclose that the defined region having [sic] a horizontal to vertical ratio matching a horizontal resolution to vertical resolution ratio of the display device as claimed,” but argues that this subject matter is inherently obvious based on Ho. (Action, p. 2) (citing to Ho, col. 2 lines 23-27). Applicant respectfully disagrees, noting the completely disparate purposes for which image cropping occurs in Ho and claim 1. As demonstrated above, Ho is directed to cropping an image to reduce the amount of image data processed by a Host Computer for image recognition. By contrast, claim 1 recites the cropping of a video feed to fit the display area of a display device. Nowhere does Ho teach or suggest that the aspect ratio of a display device has anything to do with its process of image recognition.

Thus, where claim 1 has the goal of preserving the largest amount of data in a video stream that can be accurately reproduced on a display device, Ho has the conflicting goal of reducing the amount of data in a video stream to a minimum amount needed to perform image recognition functions. This conflict cannot be overlooked, since the adaptation of Ho to perform the functionality of claim 1 would render the prior art unsatisfactory for its intended purpose, since modifying Ho to require that all of its cropped images conform to an aspect ratio defined by a display device would not necessarily result in the smallest portion of the image useable for image recognition. Particularly, the conformity of all windows to the aspect ratio of the display device would very likely tack on additional areas of the image that are unnecessary to the image recognition purposes of the host computer, thereby frustrating the principal goal of cropping in Ho—that of “reducing the work load of the Host Computer.” (Ho, col. 12 lines 33-39). “If proposed modification would render the prior art invention being modified unsatisfactory for its intended purpose, then there is no suggestion or motivation to make the proposed modification. M.P.E.P. § 2143.01(V) (citing to *In re Gordon*, 733 F.2d 900, 221 U.S.P.Q. 1125 (Fed. Cir. 1984)). Because some suggestion or motivation to make the proposed modification must exist for the modification to be obvious under § 103(a), Ho does not render obvious the “at least one marker defining a region of the frame, the region having a horizontal to vertical ratio matching a horizontal resolution to vertical resolution ratio of the display device” recited in Claim 1. *Id.*

Because Ho does not render obvious the “at least one marker” recited in claim 1, Ho likewise *cannot* teach or suggest “buffering at least one row *of the region defined by the at least one marker* and excluding rows outside *the region defined by the at least one marker* such that the rows outside the region *defined by the at least one marker* are simultaneously

cropped from the video feed;” and “displaying, on the display device, *the region of the frame defined by the at least one marker.*” (Claim 1) (emphasis added).

Even if, *arguendo*, Ho did teach or suggest the “at least one marker” recited in claim 1, Ho would still fail to teach or suggest “displaying, on the display device, the region of the frame defined by the at least one marker.” (Claim 1). The Action argues that this displaying step is inherent to Ho. (Action, p. 2) Applicant respectfully disagrees. Nowhere does Ho teach or suggest that a cropped portion of an image must be displayed while a host computer performs image recognition functions on the cropped portion. To the contrary, Ho teaches image cropping is performed with the goal of reducing the workload of the host computer in performing the image recognition functions on the image. (Ho, col. 12 lines 33-39). Applicant notes that displaying each cropped portion of an image would frustrate this goal, since such a display would necessarily require even more processing resources from the host computer.

"To establish inherency, the extrinsic evidence 'must make clear that the missing descriptive matter is *necessarily present* in the thing described in the reference, and that it would be so recognized by persons of ordinary skill.' 'Inherency, however, may not be established by probabilities or possibilities. The mere fact that a certain thing may result from a given set of circumstances is not sufficient.'" *In re Robertson*, 49 USPQ2d 1949, 1950 (Fed. Cir. 1999) (emphasis added) (citations omitted). "[T]he examiner must provide a basis in fact and/or technical reasoning to reasonably support the determination that the allegedly inherent characteristic *necessarily flows* from the teachings of the applied prior art." *Ex parte Levy*, 17 USPQ2d 1461, 1464 (BPAI 1990) (emphasis in original); see also, MPEP § 2112 (quoting *Levy*). Because the Examiner has failed to demonstrate that displaying a cropped image *necessarily flows* from the image cropping functions taught by Ho, “displaying, on the

display device, the region of the frame defined by the at least one marker” is not inherently taught by Ho. (Claim 1). Therefore, the Action has failed to demonstrate that Ho renders this subject matter obvious.

Under the analysis required by *Graham v. John Deere Co. of Kansas City*, 383 U.S. 1 (1966), to support a rejection under § 103, the scope and content of the prior art must first be determined, followed by an assessment of the differences between the prior art and the claim at issue in view of the ordinary skill in the art. The Supreme Court has recently reaffirmed that the *Graham* factors “continue to define the inquiry that controls” obviousness rejections under § 103. *KSR Int’l v. Teleflex Inc.*, 550 U.S. 398, 407 (2007). In the present case, the scope and content of the prior art, as evidenced by Ho, did not include the claimed subject matter, particularly “ascertaining at least one marker defining a region of the frame, the region having a horizontal to vertical ratio matching a horizontal resolution to vertical resolution ratio of the display device;” “buffering at least one row of the region defined by the at least one marker and excluding rows outside the region defined by the at least one marker such that the rows outside the region defined by the at least one marker are simultaneously cropped from the video feed;” and “displaying, on the display device, the region of the frame defined by the at least one marker.” (Claim 1) (emphasis added).

The differences between the cited prior art and the claim 1 are significant because claim 1 provides a technique for customizing the display of a video feed to the capabilities of a particular display device, which is a goal that Ho utterly fails to address. Thus, the claimed subject matter provides features and advantages not known or available in the cited prior art. Consequently, the cited prior art will not support a rejection of claim 1 under 35 U.S.C. § 103 and *Graham*. For at least these reasons, the rejection of claim 1 and its dependent claims based on Ho should be reconsidered and withdrawn.

Claim 9:

Claim 9 recites:

A method for transmitting a video feed to a display device, the method comprising:

adding, to the video feed, at least one marker defining a region of the frame, the region having a horizontal to vertical ratio matching a horizontal resolution to vertical resolution ratio of the display device;

transmitting the video feed to the display device;

parsing the at least one marker from the video feed;

buffering at least one row of the region defined by the at least one marker and excluding rows outside the region defined by the at least one marker such that the rows outside the region defined by the at least one marker are simultaneously cropped from the video feed; and

displaying, on the display device, the region of the frame defined by the at least one marker.

(Emphasis added).

Ho also fails to render the method of claim 9 obvious because it fails to teach or suggest all of the subject matter recited in claim 9, thereby failing to establish that the claimed invention as a whole would be obvious to one having ordinary skill in the art in light of the teachings of Ho. *See* M.P.E.P. § 2142. Specifically, as amply demonstrated above, Ho fails to teach or suggest “at least one marker defining a region of the frame, the region having a horizontal to vertical ratio matching a horizontal resolution to vertical resolution ratio of the display device,” “buffering at least one row of the region defined by the at least one marker and excluding rows outside the region defined by the at least one marker such that the rows outside the region defined by the at least one marker are simultaneously cropped from the video feed,” and “displaying on the display device, the region of the frame defined by the at least one marker.” (Claim 9).

Furthermore, Applicant respectfully notes that Ho utterly fails to teach or suggest the additional subject matter of “adding [the at least one marker] to the video feed” and “parsing

the at least one marker from the video feed” recited in claim 9. Particularly, because Ho fails to teach or suggest the “at least one marker” recited in claim 9, Ho cannot teach or suggest that a marker consistent with that recited in claim 9 is “add[ed] to the video feed.” (Claim 9).

Even if, *arguendo*, the Examiner were correct that the windows taught by Ho did teach the “at least one marker” recited in claim 9, Ho would still fail to teach or suggest “adding [the at least one marker] to the video feed,” as recited in claim 9, since Ho only teaches that the predefined windows are preprogrammed into the memory of an image processing device and not a component of the video feed. (*See, e.g.*, Ho, col. 12 line 64 to col. 13 line 16). Because Ho fails to teach or suggest “adding [the at least one marker] to the video feed,” Ho also *cannot* teach or suggest “parsing the at least one marker from the video feed.”

Under the analysis required by *Graham v. John Deere Co. of Kansas City*, 383 U.S. 1 (1966), to support a rejection under § 103, the scope and content of the prior art must first be determined, followed by an assessment of the differences between the prior art and the claim at issue in view of the ordinary skill in the art. The Supreme Court has recently reaffirmed that the *Graham* factors “continue to define the inquiry that controls” obviousness rejections under § 103. *KSR Int’l v. Teleflex Inc.*, 550 U.S. 398, 407 (2007). In the present case, the scope and content of the prior art, as evidenced by Ho, did not include the claimed subject matter, particularly “adding, to the video feed, at least one marker defining a region of the frame, the region having a horizontal to vertical ratio matching a horizontal resolution to vertical resolution ratio of the display device,” “parsing the at least one marker from the video feed,” “buffering at least one row of the region defined by the at least one marker and excluding rows outside the region defined by the at least one marker such that the rows outside the region defined by the at least one marker are simultaneously cropped from the

video feed,” and “displaying on the display device, the region of the frame defined by the at least one marker.” (Claim 9).

The differences between the cited prior art and the claim 9 are significant because claim 9 provides a method for customizing the display of a video feed to the capabilities of a particular display device, which is a goal that Ho utterly fails to address. Thus, the claimed subject matter provides features and advantages not known or available in the cited prior art. Consequently, the cited prior art will not support a rejection of claim 9 under 35 U.S.C. § 103 and *Graham*. For at least these reasons, the rejection of claim 9 and its dependent claims based on Ho should be reconsidered and withdrawn.

Claim 12:

Claim 12 recites:

A display device for displaying a video feed, the display device comprising:
a display area having horizontal and vertical resolutions;
a parser configured to parse at least one marker from the video feed, the at least one marker defining a region of a frame of the video feed, the region having a horizontal to vertical ratio matching a horizontal resolution to vertical resolution ratio of the display area;
a buffer configured to selectively store rows of the region defined by the at least one marker and exclude rows outside the region defined by the at least one marker such that the rows outside the region defined by the at least one marker are simultaneously cropped from the video feed; and
a video controller configured to display, in the display area, the buffered rows.
(Emphasis added).

Ho fails to render the display device of claim 12 obvious because it fails to teach or suggest all of the subject matter recited in claim 12, thereby failing to establish that the claimed invention as a whole would be obvious to one having ordinary skill in the art in light of the teachings of Ho. *See* M.P.E.P. § 2142. Specifically, as amply demonstrated above, Ho fails to teach or suggest a display device having “a parser configured to parse at least one

marker from the video feed, the at least one marker defining a region of a frame of the video feed, the region having a horizontal to vertical ratio matching a horizontal resolution to vertical resolution ratio of the display area;” and “a buffer configured to selectively store rows of the region defined by the at least one marker and exclude rows outside the region defined by the at least one marker such that the rows outside the region defined by the at least one marker are simultaneously cropped from the video feed.” (Claim 12).

Under the analysis required by *Graham v. John Deere Co. of Kansas City*, 383 U.S. 1 (1966), to support a rejection under § 103, the scope and content of the prior art must first be determined, followed by an assessment of the differences between the prior art and the claim at issue in view of the ordinary skill in the art. The Supreme Court has recently reaffirmed that the *Graham* factors “continue to define the inquiry that controls” obviousness rejections under § 103. *KSR Int’l v. Teleflex Inc.*, 550 U.S. 398, 407 (2007). In the present case, the scope and content of the prior art, as evidenced by Ho, did not include the claimed subject matter, particularly having “a parser configured to parse at least one marker from the video feed, the at least one marker defining a region of a frame of the video feed, the region having a horizontal to vertical ratio matching a horizontal resolution to vertical resolution ratio of the display area;” and “a buffer configured to selectively store rows of the region defined by the at least one marker and exclude rows outside the region defined by the at least one marker such that the rows outside the region defined by the at least one marker are simultaneously cropped from the video feed.” (Claim 12).

The differences between the cited prior art and the claim 12 are significant because claim 12 provides a device configured to customize the display of a video feed to the aspect ratio of the display device, which is a goal that Ho utterly fails to address. Thus, the claimed subject matter provides features and advantages not known or available in the cited prior art.

Consequently, the cited prior art will not support a rejection of claim 12 under 35 U.S.C. § 103 and *Graham*. For at least these reasons, the rejection of claim 12 and its dependent claims based on Ho should be reconsidered and withdrawn.

Claim 16:

Claim 16 recites:

A display device for displaying a video feed, the display device comprising:
a display area having horizontal and vertical resolutions;
means for ascertaining at least one marker defining a region of the frame, the region having a horizontal to vertical ratio matching a horizontal resolution to vertical resolution ratio of the display device;
a buffer;
means for storing in the buffer at least one row of the region defined by the at least one marker and excluding rows outside the region defined by the at least one marker such that the rows outside the region defined by the at least one marker are simultaneously cropped from the video feed; and
means for displaying, on the display device, the region of the frame defined by the at least one marker.

(Emphasis added).

Ho also fails to render the display device of claim 16 obvious because it fails to teach or suggest all of the subject matter recited in claim 16, thereby failing to establish that the claimed invention as a whole would be obvious to one having ordinary skill in the art in light of the teachings of Ho. *See* M.P.E.P. § 2142. Specifically, as amply demonstrated above, Ho fails to teach or suggest a display device having “means for ascertaining at least one marker defining a region of the frame, the region having a horizontal to vertical ratio matching a horizontal resolution to vertical resolution ratio of the display device;” “means for storing in the buffer at least one row of the region defined by the at least one marker and excluding rows outside the region defined by the at least one marker such that the rows outside the region defined by the at least one marker are simultaneously cropped from the video feed;” and

“means for displaying, on the display device, the region of the frame defined by the at least one marker.” (Claim 16).

Under the analysis required by *Graham v. John Deere Co. of Kansas City*, 383 U.S. 1 (1966), to support a rejection under § 103, the scope and content of the prior art must first be determined, followed by an assessment of the differences between the prior art and the claim at issue in view of the ordinary skill in the art. The Supreme Court has recently reaffirmed that the *Graham* factors “continue to define the inquiry that controls” obviousness rejections under § 103. *KSR Int’l v. Teleflex Inc.*, 550 U.S. 398, 407 (2007). In the present case, the scope and content of the prior art, as evidenced by Ho, did not include the claimed subject matter, particularly “means for ascertaining at least one marker defining a region of the frame, the region having a horizontal to vertical ratio matching a horizontal resolution to vertical resolution ratio of the display device;” “means for storing in the buffer at least one row of the region defined by the at least one marker and excluding rows outside the region defined by the at least one marker such that the rows outside the region defined by the at least one marker are simultaneously cropped from the video feed;” and “means for displaying, on the display device, the region of the frame defined by the at least one marker.” (Claim 16).

The differences between the cited prior art and the claim 16 are significant because claim 16 provides a device configured to customize the display of a video feed to the aspect ratio of the display device, which is a goal that Ho utterly fails to address. Thus, the claimed subject matter provides features and advantages not known or available in the cited prior art. Consequently, the cited prior art will not support a rejection of claim 16 under 35 U.S.C. § 103 and *Graham*. For at least these reasons, the rejection of claim 16 and its dependent claims based on Ho should be reconsidered and withdrawn.

Claim 24:

Claim 24 recites:

A program storage system readable by a computer, tangibly embodying a program, applet, or instructions executable by the computer to perform method steps for fitting a frame of a video feed to a display device, the method comprising:

ascertaining at least one marker defining a region of the frame, the region having a horizontal to vertical ratio matching a horizontal resolution to vertical resolution ratio of the display device;

buffering at least one row of the region defined by the at least one marker and excluding rows outside the region defined by the at least one marker such that the rows outside the region defined by the at least one marker are simultaneously cropped from the video feed; and

displaying, on the display device, the region of the frame defined by the at least one marker.

(Emphasis added).

Ho also fails to render the program storage system of claim 24 obvious because it fails to teach or suggest all of the subject matter recited in claim 24, thereby failing to establish that the claimed invention as a whole would be obvious to one having ordinary skill in the art in light of the teachings of Ho. *See* M.P.E.P. § 2142. Specifically, as amply demonstrated above, Ho fails to teach or suggest a program storage system that causes a computer to perform the steps of “ascertaining at least one marker defining a region of the frame, the region having a horizontal to vertical ratio matching a horizontal resolution to vertical resolution ratio of the display device;” “buffering at least one row of the region defined by the at least one marker and excluding rows outside the region defined by the at least one marker such that the rows outside the region defined by the at least one marker are simultaneously cropped from the video feed;” and “displaying, on the display device, the region of the frame defined by the at least one marker.” (Claim 24).

Under the analysis required by *Graham v. John Deere Co. of Kansas City*, 383 U.S. 1 (1966), to support a rejection under § 103, the scope and content of the prior art must first be determined, followed by an assessment of the differences between the prior art and the claim

at issue in view of the ordinary skill in the art. The Supreme Court has recently reaffirmed that the *Graham* factors “continue to define the inquiry that controls” obviousness rejections under § 103. *KSR Int’l v. Teleflex Inc.*, 550 U.S. 398, 407 (2007). In the present case, the scope and content of the prior art, as evidenced by Ho, did not include the claimed subject matter, particularly “ascertaining at least one marker defining a region of the frame, the region having a horizontal to vertical ratio matching a horizontal resolution to vertical resolution ratio of the display device;” “buffering at least one row of the region defined by the at least one marker and excluding rows outside the region defined by the at least one marker such that the rows outside the region defined by the at least one marker are simultaneously cropped from the video feed;” and “displaying, on the display device, the region of the frame defined by the at least one marker.” (Claim 24).

The differences between the cited prior art and the claim 24 are significant because claim 24 enables the customization video feed display to the aspect ratio of the display device, which is a goal that Ho utterly fails to address. Thus, the claimed subject matter provides features and advantages not known or available in the cited prior art. Consequently, the cited prior art will not support a rejection of claim 24 under 35 U.S.C. § 103 and *Graham*. For at least these reasons, the rejection of claim 24 and its dependent claims based on Ho should be reconsidered and withdrawn.

Additionally, various dependent claims of the application subject to the present rejection recite subject matter that is further patentable over the cited prior art. Specific, non-exclusive examples follow.

Claims 2, 17, and 25:

Claims 2, 17, and 25 recite “wherein ascertaining at least one marker includes parsing out the at least one marker from the video feed.” In this regard, the Examiner takes Official Notice that “transmitting additional data along with video data is well known in the art because former [sic] enables latter [sic] to be processed and controlled instantly.” (Action, p. 3). Applicant expressly does not concede or acquiesce to the Official Notice taken by the Examiner for at least the reason that transmitting additional data along with video data does not necessarily enable video data to be processed and controlled instantly. As evidenced by Ho, such data can be stored locally by a processing device and applied instantly to received video data. As such, Applicant respectfully traverses the Examiner’s taking of Official Notice and notes that the Examiner must support this assertion with adequate factual evidence. M.P.E.P. § 2144.03(C).

The Action further asserts that “it would have been obvious to one of ordinary skill in the art at the time that the invention was made to transmit the window coordinate data along with the digital image so that the image data could be processed instantly.” (Action, p. 3). Applicant respectfully disagrees. As amply demonstrated above with respect to independent claim 9, Ho teaches that window data is preprogrammed into the memory of an image processing device and not a component of the video feed. (*See, e.g.*, Ho, col. 12 line 64 to col. 13 line 16). It is unreasonable to assert, as the Examiner does here, that subjecting a video feed to the additional processing steps of parsing out and decoding image data results in a faster processing of the video feed than the use of locally stored image data by an image processing device, as taught by Ho. Thus, the Examiner has failed to demonstrate any motivation for modifying Ho to include cropping data into a video feed as recited in claims 2, 17, and 25. Consequently, the Action has failed to establish a *prima facie* case of

obviousness against claims 2, 17, and 25 for at least these additional reasons. Accordingly, the rejection of claims 2, 17, and 25 should be reconsidered and withdrawn.

Claims 3, 18, and 26:

Claims 3, 18, and 26 recite “parsing out the at least one marker from a header of the video feed.” The Action rejects these claims using the same arguments applied against claims 2, 17, and 25. Applicant respectfully disagrees for at least the same reasons given above in favor of the patentability of claims 2, 17, and 25.

Furthermore, Applicant notes that Ho does not teach or suggest anywhere the additional subject matter of “parsing out the at least one marker *from a header of the video feed.*” (Claims 3, 18, and 26). The Action has not addressed this subject matter. Applicant wishes to remind the Examiner that according to the Supreme Court, the Examiner is required to provide an explicit analysis as to how the cited prior art teaches or suggests all the features of a claim. *KSR International Co. v. Teleflex, Inc.*, 550 U.S. 398, 418 (2007) (citing to *In re Kahn*, 441 F.3d 977, 988 (Fed. Cir. 2006)). “To facilitate review, this [the Examiner’s] analysis should be made explicit.” *Id.* As demonstrated above, the Examiner has failed to meet this burden with regard to claims 3, 18, and 26. Therefore, under the standard of *KSR*, no *prima facie* case of obviousness has been made as to claim 3, 18, and 26.

For at least the foregoing reasons, the rejection of claims 3, 18, and 26 should be reconsidered and withdrawn.

Claims 4, 19, and 27:

Claims 4, 19, and 27 recite “fixing the at least one marker for each video feed.” The Action rejects these claims using the same arguments applied against claims 2, 17, and 25.

Applicant respectfully disagrees for at least the same reasons given above in favor of the patentability of claims 2, 17, and 25.

Furthermore, Applicant notes that Ho does not teach or suggest anywhere the additional subject matter of “fixing the at least one marker for each video feed.” (Claims 4, 19, and 27). The Action has not addressed this subject matter. Applicant wishes to again remind the Examiner that according to the Supreme Court, the Examiner is required to provide an explicit analysis as to how the cited prior art teaches or suggests all the features of a claim. *KSR International Co. v. Teleflex, Inc.*, 550 U.S. 398, 418 (2007) (citing to *In re Kahn*, 441 F.3d 977, 988 (Fed. Cir. 2006)). “To facilitate review, this [the Examiner’s] analysis should be made explicit.” *Id.* As demonstrated above, the Examiner has failed to meet this burden with regard to claims 4, 19, and 27. Therefore, under the standard of *KSR*, no *prima facie* case of obviousness has been made as to claim 4, 19, and 27.

For at least the foregoing reasons, the rejection of claims 4, 19, and 27 should be reconsidered and withdrawn.

Claims 5, 13, 20, and 28:

Claim 5 recites “ascertaining a single marker defining a first corner of the region and calculating from the single marker and the horizontal resolution to vertical resolution ratio a second corner opposite the first corner of the region.” Claims 13, 20 and 28 recite similar subject matter. Regarding this subject matter, the Action notes that “Ho teaches the upper left corner coordinate and lower right corner coordinate are preprogrammed.” (Action, p. 3) (citing to Ho, col. 13 line 64 to col. 14 line 6). In response, Applicant wishes to point out that this portion of Ho actually teaches away from the subject matter of claims 5, 13, 20, and 28. As recognized by the Examiner, Ho teaches corner coordinates that are preprogrammed,

while claims 5, 13, 20, and 28 teach the active step of computing a second corner from the known location of a first corner. With regard to these claims, the Examiner is unfairly extracting teachings from Ho that simply do not exist. For at least these additional reasons, the Action has failed to establish a *prima facie* case of obviousness against claims 5, 13, 20, and 28. Consequently, the rejection of claims 5, 13, 20, and 28 should be reconsidered and withdrawn.

Conclusion:

In view of the preceding arguments, all claims are believed to be in condition for allowance over the prior art of record. Therefore, this response is believed to be a complete response to the Office Action. However, Applicant reserves the right to set forth further arguments in future papers supporting the patentability of any of the claims, including the separate patentability of the dependent claims not explicitly addressed herein. In addition, because the arguments made above may not be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed.

The absence of a reply to a specific rejection, issue or comment in the Office Action does not signify agreement with or concession of that rejection, issue or comment. Finally, nothing in this paper should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this paper, and the amendment of any claim does not necessarily signify concession of unpatentability of the claim prior to its amendment. Further, for any instances in which the Examiner took Official Notice in the Office Action, Applicants expressly do not acquiesce to the taking of Official Notice, and respectfully request that the Examiner provide an affidavit to support the Official Notice taken in the next Office Action, as required by 37 CFR 1.104(d)(2) and MPEP § 2144.03.

If the Examiner has any comments or suggestions which could place this application in better form, the Examiner is requested to telephone the undersigned attorney at the number listed below.

Respectfully submitted,

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